

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board  
Docket No. 05-390

BOARD'S RULING ON APPEAL

All hearings are audio recorded. The digital recording (which is on file at the office of the Board of Building Regulations and Standards) serves as the official record of the hearing. Copies of the recording are available from the Board for a fee of \$10.00 per copy. Please make requests for copies in writing and attach a check made payable to the Commonwealth of Massachusetts for the appropriate fee. Requests may be addressed to:

Patricia Barry, Coordinator  
State Building Code Appeals Board  
BBRS/Department of Public Safety  
One Ashburton Place - Room 1301  
Boston, MA 02108

\_\_\_\_\_  
Michael Jolliffe

)  
Appellant, )

v. )

Town of Mattapoisett and Andy Bobola )  
Appellees )

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to grant a variance from 780 CMR, Section 3603.12.1 of the Massachusetts State Building Code ("MSBC") for the property of 42 Water Street, Mattapoisett, MA 02739. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on March 20, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing himself was the Appellant.

**Decision:** Following testimony, and based upon relevant information provided, Board members voted as indicated below.

**XXX..... Granted**

☐..... Denied

☐..... Rendered Interpretation

☐.....Granted with conditions (see below)

☐..... Dismissed

The vote was:

**XXX.....Unanimous**

.....☐ Majority

**Reasons for Variance:**

Testimony was presented that demonstrated that the subject property had two exit doors, that comply with 780 CMR, and which served the main living area of the home. The exterior door that was the subject of this appeal is not considered an exit door and thereby is not required to have a landing on the outside.

Motion was made by Alexander MacLeod to allow the variance based on this testimony. Keith Hoyle seconded this motion.

**The following members voted in the above manner**



Chairman -Harry Smith



Alexander MacLeod



Keith Hoyle

A **complete** administrative record is on file at the office of the Board of Building Regulations and Standards.

A true copy attest, dated: September 26, 2007



Patricia Barry, Clerk

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to a court of competent jurisdiction in accordance with Chapter 30A, Section 14 of the Massachusetts General Laws.